IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 25TH JUNE 2007 / 4TH ASHADHA 1929

WP(C).No. 15075 of 2007(T)

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PETITIONER:

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LALITHABAI AMMA B,
CHEMPARA PILLAI VEEDU,
KOIKKAL SANTHA NAGAR,
KILIKOLLOOR,
KOLLAM.

BY ADV. SRI.S.VINODKUMAR

RESPONDENTS:

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1. THE ASSISTANT GENERAL MANAGER,
UCO BANK REGIONAL OFFICE,
THIRUVANATHAPURAM.

2. THE CHIEF MANAGER,
UCO BANK,
BEACH ROAD,
KOLLAM.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**S. SIRI JAGAN, J.**

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**W.P.(C)NO.15075 OF 2007**

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**DATED THIS THE 25th DAY OF JUNE, 2007**

**JUDGMENT**

The learned counsel for the petitioner is absent. The petitioner is challenging proceedings under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, 'Act'). It is settled law that the proceedings under the Act have to be challenged before the Debt Recovery Tribunal by way of filing an appeal as provided under the Act itself. The Supreme Court of India has held that this Court shall not ordinarily in exercise of powers under Article 226 of the Constitution of India interfere with the proceedings under the Act. The petitioner has not been able to show any special circumstances which would warrant interference of this Court also.

In the above circumstances, I am not inclined to exercise my discretionary jurisdiction in favour of the petitioner. Accordingly, the writ petition is dismissed.

**S. SIRI JAGAN, JUDGE**

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